

From: Rolando, Elizabeth
Sent: Monday, April 05, 2004 4:11 PM
To: @ Shah, Rajesh; Pratt, Carrie
Cc: Moran, Eve
Subject: RE: Request for re-hearing and also additional information from SBC

Mr. Shah,

I am not permitted to provide you with legal advise. You were supplied with a copy of 83 Illinois Administrative Code Part 200, Rules of Practice at the time you filed your Formal Complaint. Please refer to the Rules of Practice for the proper process to file a motion to reopen the record.

Elizabeth A. Rolando
Chief Clerk
Illinois Commerce Commission

-----Original Message-----

From: Rajesh B. Shah [mailto:shah@shah-usa.com]
Sent: Monday, April 05, 2004 3:53 PM
To: cpratt@icc.state.il.us; erolando@icc.state.il.us
Cc: emoran@icc.state.il.us
Subject: FW: Request for re-hearing and also additional information from SBC

Ms. Elizabeth A. Rolando, Chief Clerk

REF: Shah v. Illinois Bell, 03-0494

I am writing this email to find out the proper process to file motion for re-open the record for the doc number mentioned above. I believe that by re-opening the record, I will have an opportunity to submit additional evidence that I could not at the time of first hearing. I will appreciate your discussing it with Judge Moran. Please do not consider the email as "in accordance with 83 Ill. Adm. Code 200.710", because I discussed the matter with Mr. Huttenhower of SBC and he wants me to follow the process. Once, I follow the process he may have objection to it, however, it is in the best interest of Judge and ICC that I get a chance for re-opening the records to make decision based on the facts. Let me know if I am missing anything here. Your advice is appreciated.

Sincerely,
Rajesh B. Shah
PH: (312) 789-9500
FX: (312) 789-9600

"We promise what we can deliver AND we deliver what we promised"

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-----Original Message-----

From: HUTTENHOWER, JAMES A (Legal) [mailto:jh7452@sbc.com]
Sent: Monday, April 05, 2004 3:08 PM
To: shah@shah-usa.com
Subject: RE: Request for re-hearing and also additional information from SBC

Mr. Shah -- If you wish to re-open the record, the appropriate method is to present Judge Moran (and the Commission clerk's office) with a written motion explaining what you want to do and why (as opposed to this exchange of e-mail). At this point, based on what you've said about the basis for re-opening, SBC Illinois would oppose the motion.

I also want to correct an incorrect statement in my message from this morning. Your original new service order had three (rather than two) revisions. These revisions are shown on the page of account notes that I provided in mid-October 2003, in response to your information requests. (These notes were not used as an exhibit at the hearing.)

Jim Huttenhower
SBC Illinois Law department
312-727-1444

-----Original Message-----

From: Rajesh B. Shah [mailto:shah@shah-usa.com]
Sent: Monday, April 05, 2004 2:54 PM
To: HUTTENHOWER, JAMES A (Legal)
Cc: emoran@icc.state.il.us
Subject: RE: Request for re-hearing and also additional information from SBC

I believe that your reply was satisfactory to the extent that the order have history of previous versions, but those versions would have been deleted at the time a replacement order was written (i.e., in July 2000). It is very likely that that those changes were made at the discretions of SBC and was not part of my order. However, my request is to ask Judge Moran to re-open the record. Re-opening records is not to make what appears to be a material change from the allegations of your complaint, however, bring additional supportive evidences to help the Judge and ICC make better decision. Let me and the Judge know if you have any objection about it, so that Judge Moran can make a move on our conversation.

Sincerely,
Rajesh B. Shah
PH: (312) 789-9500
FX: (312) 789-9600